REMARKS

Applicants respectfully request further examination and reconsideration in view of the above amendments. Claims 1-26 and 34-54 remain pending in the case. Claims 1-26 and 34-54 are rejected. Claims 1, 14, 34, 44, 53 and 54 are amended herein. No new matter has been added.

35 U.S.C. §112, second paragraph

Claims 53 and 54 are rejected under 35 U.S.C. § 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. Specifically, the Examiner asserts that the omitted element is a link between the claimed computer system and the ability to receive a call from a wireless phone.

Claims 53 and 54 are amended herein to recite the limitation of "a) on receiving a call over a telephone gateway, using an Automatic Number Information (ANI) of said call to determine if said call is using a wireless phone" (emphasis added). With reference to the present specification, Figure 1 illustrates voice portal 110 coupled in communication with telephone gateway 107. Telephone gateway 107 provides the required connection between receiving a call from a wireless phone at the computer system. Furthermore, with reference Figure 1 to U.S. Patent Application 6,807,574 (Application Number 09/426,102) which is incorporated by reference within the present application (page 1, lines 9-11) telephone gateway 107 is shown in communication with telephone network 104 that is in communication with cellular

telephone 101. Applicants respectfully assert that telephone gateway 107 provides the required link between a wireless communication and the computer system. Therefore, Applicants respectfully assert that amended Claims 53 and 54 overcome the rejection under 35 U.S.C. § 112, second paragraph.

35 U.S.C. §102(e)

Claims 1-26, 34-37 and 44-54 are rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent Number 5,960,394 by Gould et al., hereinafter referred to as the "Gould" reference. Applicants have reviewed the cited reference and respectfully submit that the embodiments of the present invention as recited in Claims 1-26, 34-37 and 44-54 are not anticipated by Gould in view of the following rationale.

Claims 1-26

Applicants respectfully direct the Examiner to independent Claim 1 that recites that an embodiment of the present invention is directed to (emphasis added):

> In a computer system that provides an audio user interface, a method of interfacing with a user comprising the steps of:
>
> a) audibly prompting a user with a first message indicating that the user may say a keyword to invoke an application and indicating that the user may stay tuned for a listing of keywords;
>
> b) waiting for a predetermined period for said user to say a keyword;
>
> c) provided said user does say a keyword during said predetermined period, automatically recognizing said keyword and executing an application indicated by said keyword; and
>
> d) provided said user does not say a keyword during said predetermined period, audibly rendering a listing of keywords to said

user and executing an application associated with a keyword spoken by said user in response to said listing.

Independent Claim 14 recites similar limitations. Claims 2-13 that depend from independent Claim 1 and Claims 15-26 that depend from independent Claim 14 provide further recitations of the features of the present invention.

Gould and the claimed invention are very different. Applicants understand Gould to teach a word recognition system with dynamic assignment of probabilities based on the state of controlled applications (Abstract). In particular, Gould teaches a word recognition system having a tutorial program for teaching a user how to use the word recognition system, wherein the tutorial program is displayed on a display device of a computer system.

With reference to Figure 32 of Gould, a screen shot displaying two user selections is shown. In particular, the screen shot is visibly displayed and is not audibly prompted. The tutorial program is presented on video display 118 connected to computer 116, as shown in Figure 4 of Gould.

In contrast, embodiments of the claimed invention are directed towards a method of interfacing with a user including "audibly prompting a user with a first message indicating that the user may say a keyword to invoke an application and indicating that the user may stay tuned for a listing of keywords" and "provided said

user does not say a keyword during said predetermined period, audibly rendering a listing of keywords to said user and executing an application associated with a keyword spoken by said user in response to said listing" (emphasis added). With reference to the present specification, a voice portal is described for presenting audible information over a telephone interface (page 5, lines 17-28; Figures 2A-2C). For example, with reference to Figure 2A, at step 252 a welcome message is rendered over an audio user interface (page 18, lines 11-20). In particular, the user is audibly prompted with messages.

Applicants respectfully assert that Gould in particular does not teach, disclose, or suggest "audibly prompting a user with a first message indicating that the user may say a keyword to invoke an application and indicating that the user may stay tuned for a listing of keywords" and "provided said user does not say a keyword during said predetermined period, audibly rendering a listing of keywords to said user and executing an application associated with a keyword spoken by said user in response to said listing" (emphasis added). In contrast, Gould teaches a visual display for displaying tutorial information.

Therefore, Applicants respectfully assert that nowhere does Gould teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claims 1 and 14, that these claims overcome the rejection under 35 U.S.C. § 102(e), and that these claims are thus in a condition for allowance. Therefore, Applicants respectfully submit the Gould also does not teach or suggest

the additional claimed features of the present invention as recited in Claims 2-13 that depend from independent Claim 1 and Claims 15-26 that depend on independent Claim 14. Therefore, Applicants respectfully submit that Claims 2-13 and 15-26 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

Claims 34-37

Applicants respectfully direct the Examiner to independent Claim 34 that recites that an embodiment of the present invention is directed to (emphasis added):

> In a computer system that provides an audio user interface, a method of providing information to a user comprising the steps of:
> a) entering a general mode of operation within said audio user interface wherein a user can interrupt said computer system by uttering keywords at any time;
> b) in response to said user saying a keyword that invokes a content delivery option, audibly rendering a message informing said user that content delivery can be interrupted by uttering a special word;
> c) playing an audio content to said user;
> d) during step c), entering a special mode of operation wherein said audio content is interrupted only if said user says said special word and otherwise ignoring user utterances during said playing of said audio content; and
> e) resuming said general mode of operation upon completion of said audio content.

Claims 35-37 that depend from independent Claim 34 provide further recitations of the features of the present invention.

Gould and the claimed invention are very different. As described above, Applicants understand Gould to teach a word recognition system with dynamic assignment of probabilities based on the state of controlled applications (Abstract). In particular, Gould teaches a word recognition system having a tutorial program for teaching a user how to use the word recognition system, wherein the tutorial program is displayed on a display device of a computer system.

With reference to Figure 32 of Gould, a screen shot displaying two user selections is shown. In particular, the screen shot is visibly displayed and is not audibly prompted. The tutorial program is presented on video display 118 connected to computer 116, as shown in Figure 4 of Gould.

In contrast, embodiments of the claimed invention are directed towards method of providing information to a user including "in response to said user saying a keyword that invokes a content delivery option, audibly rendering a message informing said user that content delivery can be interrupted by uttering a special word" and "playing an audio content to said user" (emphasis added). As described above, the claimed invention provides a method for audibly rendering messages to a user.

Applicants respectfully assert that Gould in particular does not teach, disclose, or suggest "in response to said user saying a keyword that invokes a content delivery option, audibly rendering a message informing said user that content delivery can be interrupted by uttering a special word" and "playing an audio content to said user"

(emphasis added). In contrast, Gould teaches a system for visually displaying tutorial information.

Therefore, Applicants respectfully assert that nowhere does Gould teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claim 34, that this claim overcomes the rejection under 35 U.S.C. § 102(e), and that this claim is thus in a condition for allowance. Therefore, Applicants respectfully submit the Gould also does not teach or suggest the additional claimed features of the present invention as recited in Claims 35-37 that depends from independent Claim 34. Therefore, Applicants respectfully submit that Claims 35-37 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

Claims 44-54

Applicants respectfully direct the Examiner to independent Claim 44 that recites that an embodiment of the present invention is directed to (emphasis added):

> In a computer system, a method for providing an audio user interface, said method comprising the steps of:
> a) receiving a user utterance;
> b) processing said user utterance using automatic voice recognition processes;
> c) if said user utterance is a mismatch, entering a first process to determine if conditions exist that are likely to lead to poor voice recognition; and
> d) if said conditions do not exist then re-prompting said user with an audible prompt and repeating steps a) - c), otherwise, entering a second process to provide services and audible user suggestions

directed at raising the likelihood of receiving commands and data from said user.

Independent Claims 53 and 54 recite similar limitations. Claims 45-52 that depend from independent Claim 44 provide further recitations of the features of the present invention.

Gould and the claimed invention are very different. As described above, Applicants understand Gould to teach a word recognition system with dynamic assignment of probabilities based on the state of controlled applications (Abstract). In particular, Gould teaches a word recognition system having a tutorial program for teaching a user how to use the word recognition system, wherein the tutorial program is displayed on a display device of a computer system.

With reference to Figure 32 of Gould, a screen shot displaying two user selections is shown. In particular, the screen shot is visibly displayed and is not audibly prompted. The tutorial program is presented on video display 118 connected to computer 116, as shown in Figure 4 of Gould.

In contrast, embodiments of the claimed invention are directed towards method of providing an audio user interface including "if said conditions do not exist then re-prompting said user with an audible prompt and repeating steps a) - c), otherwise, entering a second process to provide services and audible user suggestions directed

at raising the likelihood of receiving commands and data from said user" (emphasis added). As described above, the claimed invention provides a method for audibly rendering messages to a user.

Applicants respectfully assert that Gould in particular does not teach, disclose, or suggest "if said conditions do not exist then re-prompting said user with an audible prompt and repeating steps a) - c), otherwise, entering a second process to provide services and audible user suggestions directed at raising the likelihood of receiving commands and data from said user" (emphasis added). In contrast, Gould teaches a system for visually displaying tutorial information.

Therefore, Applicants respectfully assert that nowhere does Gould teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claims 44, 53 and 54, that these claims overcome the rejection under 35 U.S.C. § 102(e), and that these claims are thus in a condition for allowance. Therefore, Applicants respectfully submit the Gould also does not teach or suggest the additional claimed features of the present invention as recited in Claims 45-52 that depends from independent Claim 44. Therefore, Applicants respectfully submit that Claims 45-52 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

Claims 38-43

Claims 38-43 are rejected under 35 U.S.C. §102(e) as being anticipated by United States Patent Number 6,807574 by Partovi et al., hereinafter referred to as the "Partovi" reference. Applicants have reviewed the cited reference and respectfully submit that the embodiments of the present invention as recited in Claims 38-43 are not anticipated by Partovi in view of the following rationale.

Applicants respectfully note that to anticipate a claim, the reference must teach every element of the claim (MPEP 2131, see also W. L. Gore & Assocs. v. Garlock, Inc., 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983)). Moreover, Applicants respectfully assert that the previous argument included in the Response mailed on April 25, 2005, is in compliance wit 37 CFR 1.111(b), and is not merely a general allegation as to the patentability of the claims. Applicants indicated to the Examiner specific instances of language of the claims is not shown anywhere in the reference. However, to aid in the Examiner's understanding of the claimed invention, Applicants will attempt to perform the requested compare/contrast between the claim limitations and the citations of Partovi herein.

Applicants respectfully direct the Examiner to independent Claim 38 that recites that an embodiment of the present invention is directed to (emphasis added):

> In a computer system having an audio user interface, a method of providing information to a user comprising the steps of:
> a) automatically determining a default location based on a characteristic of a caller;

b) rendering a first message to said caller that information of a first category will be provided to said caller using said default location unless said caller indicates a new location;

c) pausing a predetermined period for said caller to say a new location and rendering a background audio signal during said pausing;

d) provided said user does not indicate a new location, rendering to said caller information of said first category that is pertinent to said default location; and

e) provided said user does indicate a new location, rendering to said caller information of said first category that is pertinent to said new location.

Claims 39-43 that depend from independent Claim 38 provide further recitations of the features of the present invention.

Partovi and the claimed invention are very different. Applicants understand Partovi to teach a method and apparatus for content personalization over a telephone interface (Abstract).

Embodiments of the claimed invention are directed towards a method of providing information to a user including "pausing a predetermined period for said caller to say a new location and rendering a background audio signal during said pausing" (emphasis added). Moreover, the claimed method also includes "provided said user does not indicate a new location, rendering to said caller information of said first category that is pertinent to said default location;" and "provided said user does indicate a new location, rendering to said caller information of said first category that is pertinent to said new location" (emphasis added).

Examiner asserts that specific citations in the Partovi reference teach these limitations. Specifically, Examiner appears to assert that Partovi teaches the claimed limitations at column 2, line 60, through column 3, line 12, and column 10, lines 49-55. Applicants have reviewed these citations and fail to understand that they teach the claim limitations. In particular, Partovi does not teach, describe or suggest "pausing a predetermined time" as claimed. Partovi makes no reference to any time periods, any pausing of processing, or rendering a particular background audio signal during the pause. Moreover, Partovi does not teach a user indicating a new location. In contrast, Partovi teaches that pairing different script or default selection "does not change the kind of content presented and ... is not user-selected" (col. 3, lines 8-9; emphasis added). By teaching that default selections cannot be user-selected, Partovi teaches away from the invention as claimed.

Accordingly, Applicants respectfully assert that Partovi in particular does not teach, disclose, or suggest "pausing a predetermined period for said caller to say a new location and rendering a background audio signal during said pausing" (emphasis added). Moreover, Applicants respectfully assert that Partovi does not teach, describe or suggest "provided said user does not indicate a new location, rendering to said caller information of said first category that is pertinent to said default location;" and "provided said user does indicate a new location, rendering to said caller information of said first category that is pertinent to said new location" (emphasis added). Applicants respectfully assert that Partovi is silent as to the claimed embodiments.

Therefore, Applicants respectfully assert that nowhere does Partovi teach, disclose or suggest the claimed embodiments of the present invention as recited in independent Claim 38, that this claim overcomes the rejection under 35 U.S.C. § 102(e), and that this claim is thus in a condition for allowance. Therefore, Applicants respectfully submit the Partovi also does not teach or suggest the additional claimed features of the present invention as recited in Claims 39-43 that depend from independent Claim 38. Therefore, Applicants respectfully submit that Claims 39-43 also overcome the rejection under 35 U.S.C. § 102(e), and are in a condition for allowance as being dependent on an allowable base claim.

CONCLUSION

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims. Based on the arguments presented above, Applicants respectfully assert that Claims 1-26 and 34-54 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these Claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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